



07-06-06

RCE 11651  
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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|   |                        |                        |
|---|------------------------|------------------------|
| <b>Request<br/>For<br/>Continued Examination (RCE)<br/>Transmittal</b><br><br>Address to:<br>MS RCE<br>Commissioner for Patents<br>P.O. Box 1450<br>Alexandria, VA 22313-1450 | Application Number     | 10/038,891-Conf. #8813 |
|   | Filing Date            | January 2, 2002        |
|   | First Named Inventor   | Jeffrey T. Borenstein  |
|   | Art Unit               | 1651                   |
|   | Examiner Name          | D. M. Naff             |
|   | Attorney Docket Number | 62030(51588)           |

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

ii. ☐ Other \_\_\_\_\_

b. ☒ Enclosed

i. ☒ Amendment/Reply

iii. ☐ Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s)/Declaration(s)

iv. ☐ Other \_\_\_\_\_

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. ☐ Other \_\_\_\_\_

3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

a. ☒ The Director is hereby authorized to charge the following fees, any underpayment of fees, or credit any overpayments to Deposit Account No. 04-1105. I have enclosed a duplicate copy of this sheet.

i. ☒ RCE fee required under 37 CFR 1.17(e)

ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)

iii. ☐ Other \_\_\_\_\_

b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED |                       |                  |              |
|---|-----------------------|------------------|--------------|
| Signature   | <i>George Chaclas</i> | Date             | July 5, 2006 |
| Name (Print/Type)                                   | George N. Chaclas     | Registration No. | 46,608       |

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|  |  |                          |                        |
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| <b>Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).</b><br><b>FEE TRANSMITTAL</b><br><b>For FY 2006</b> |  | <b>Complete if Known</b> |                        |
|  |  | Application Number       | 10/038,891-Conf. #8813 |
|  |  | Filing Date              | January 2, 2002        |
|  |  | First Named Inventor     | Jeffrey T. Borenstein  |
|  |  | Examiner Name            | D. M. Naff             |
| <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27                                      |  | Art Unit                 | 1651                   |
| <b>TOTAL AMOUNT OF PAYMENT</b>   |  | <b>(\$)</b>              | <b>670.00</b>          |
|  |  | Attorney Docket No.      | 62030(51588)           |

|   |   |
|---|---|
| <b>METHOD OF PAYMENT</b> (check all that apply)   |   |
| <input type="checkbox"/> Check  | <input type="checkbox"/> Credit Card  |
| <input type="checkbox"/> Money Order  | <input type="checkbox"/> None   |
| <input type="checkbox"/> Other (please identify): _____   |   |
| <input checked="" type="checkbox"/> Deposit Account   | Deposit Account Number: <u>04-1105</u> Deposit Account Name: <u>Edwards Angell Palmer &amp; Dodge LLP</u> |
| For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)                |   |
| <input checked="" type="checkbox"/> Charge fee(s) indicated below   | <input type="checkbox"/> Charge fee(s) indicated below, <b>except for the filing fee</b>                  |
| <input checked="" type="checkbox"/> Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17 | <input checked="" type="checkbox"/> Credit any overpayments   |

**FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)**

| Application Type | FILING FEES |                       | SEARCH FEES |                       | EXAMINATION FEES |                       | Fees Paid (\$) |
|------------------|-------------|-----------------------|-------------|-----------------------|------------------|-----------------------|----------------|
|                  | Fee (\$)    | Small Entity Fee (\$) | Fee (\$)    | Small Entity Fee (\$) | Fee (\$)         | Small Entity Fee (\$) |                |
| Utility          | 300         | 150                   | 500         | 250                   | 200              | 100                   |                |
| Design           | 200         | 100                   | 100         | 50                    | 130              | 65                    |                |
| Plant            | 200         | 100                   | 300         | 150                   | 160              | 80                    |                |
| Reissue          | 300         | 150                   | 500         | 250                   | 600              | 300                   |                |
| Provisional      | 200         | 100                   | 0           | 0                     | 0                | 0                     |                |

| Fee Description                                    | Small Entity |          |
|--|--------------|----------|
|  | Fee (\$)     | Fee (\$) |
| Each claim over 20 (including Reissues)            | 50           | 25       |
| Each independent claim over 3 (including Reissues) | 200          | 100      |
| Multiple dependent claims                          | 360          | 180      |

| Total Claims   | Extra Claims | Fee (\$) | Fee Paid (\$) | Multiple Dependent Claims |               |
|--|--------------|----------|---------------|---------------------------|---------------|
| 48   | - 37 = 11    | x 25 =   | \$275.00      | Fee (\$)                  | Fee Paid (\$) |
| HP = highest number of total claims paid for, if greater than 20.      |              |          |               |                           |               |
| Indep. Claims  | Extra Claims | Fee (\$) | Fee Paid (\$) |                           |               |
| 5  | - 7 =        | x        |               |                           |               |
| HP = highest number of independent claims paid for, if greater than 3. |              |          |               |                           |               |

|   |                     |   |                 |                       |
|---|---------------------|---|-----------------|-----------------------|
| <b>3. APPLICATION SIZE FEE</b>  |                     |   |                 |                       |
| If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s). |                     |   |                 |                       |
| <u>Total Sheets</u>   | <u>Extra Sheets</u> | <u>Number of each additional 50 or fraction thereof</u> | <u>Fee (\$)</u> | <u>Fee Paid (\$)</u>  |
|   | - 100 =             | /50 (round up to a whole number) x                      |                 |                       |
| <b>4. OTHER FEE(S)</b>  |                     |   |                 |                       |
| Non-English Specification, \$130 fee (no small entity discount)   |                     |   |                 | <b>Fees Paid (\$)</b> |
| Other (e.g., late filing surcharge): 2801 Request for continued examination (RCE) (see 37 ...   |                     |   |                 | 395.00                |

|                     |                       |                                   |                |
|---------------------|-----------------------|-----------------------------------|----------------|
| <b>SUBMITTED BY</b> |                       |                                   |                |
| Signature           | <u>George Chaclas</u> | Registration No. (Attorney/Agent) | 46,608         |
| Name (Print/Type)   | George N. Chaclas     | Telephone                         | (401) 276-6653 |
|                     |                       | Date                              | July 5, 2006   |